

STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

AUDREY DENICE SIMS,

Plaintiffs,

vs.

Dollar General,  
Dolgencorp, LLC,  
Dolgencorp, INC,  
Corporation Service Co.,

Defendant.

IN THE COURT OF COMMON PLEAS FOR  
THE EIGHTH JUDICIAL CIRCUIT

Docket No.:

**SUMMONS**

**Jury Trial Demanded**

*Had  
12/5/22*

TO: THE ABOVENAMED DEFENDANT:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, or otherwise appear and defend, and to serve a copy of your Answer to said Complaint upon the subscribers at their office, Law Office of Derrick E. Mobley, LLC (203 W. Main St. (Suite F-5), Lexington, SC), within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, or otherwise appear and defend, the Plaintiff in this action will apply to the Court for the relief demanded therein, and judgment by default will be rendered against you for the relief demanded in the Complaint.

Respectfully Submitted,

LAW OFFICE OF DERRICK E. MOBLEY, LLC  
Attorney for the Plaintiff

By: s/Derrick E. Mobley  
Derrick E. Mobley, Esquire  
SC Bar# 74948  
203 W. Main St. (Suite F-5)  
Lexington, SC 29072  
Phone: 803-951-3847  
Fax: 800-762-4915  
Email: [Derrick@dmobleylaw.com](mailto:Derrick@dmobleylaw.com)

Lexington, South Carolina  
August 11, 2022

STATE OF SOUTH CAROLINA  
COUNTY OF NEWBERRY

IN THE COURT OF COMMON PLEAS FOR  
THE EIGHTH JUDICIAL CIRCUIT

AUDREY DENICE SIMS,

Docket No.:

Plaintiff,

**COMPLAINT**

vs.

**(JURY TRIAL DEMANDED)**

Dollar General,  
Dolgencorp, LLC,  
Dolgencorp, INC,  
Corporation Service Co

Defendant.

The Plaintiff, complaining of the Defendants, would respectfully show unto this honorable Court as follows:

1. Plaintiff Audrey Denice Sims ("Plaintiff") is a citizen and resident of the County of Newberry, State of South Carolina.
2. Defendant Dolgencorp, LLC d/b/a Dollar General, et al, is a limited liability company that is authorized to transact business in the State of South Carolina.
3. Defendant Dolgencorp, LLC d/b/a Dollar General. is a corporation organized under the laws of the State of Kentucky, authorized to transact business in South Carolina and operates under as a limited liability company within the State of South Carolina.
4. Defendant Corporation Service Co is the Registered Agent of Dolgencorp, LLC d/b/a Dollar General with an office address of: 508 Meeting Street, West Columbia SC 29169.
5. Defendants own, operate, and manage this Kimbrell's Home Furnishings.
6. Jurisdiction and venue are proper as to these Defendants.

7. On or about August 16, 2019, while shopping at the Defendants' store located in Newberry, South Carolina (25 Oxner Rd., Newberry SC 29108), Plaintiff Audrey Denice Sims, through no fault of her own, slipped and fell face first as a result of unsafe and unsecured item/s that were laying in the store aisle without any meaningful purpose or safe location.

8. At all times relevant, Plaintiff Audrey Denice Sims was an invitee at Defendants' store. Defendants owed a duty to discover and warn of dangerous conditions on the premises and make them safe, which Defendants failed to do.

9. As a result of this fall, Plaintiff Audrey Denice Sims sustained a serious and permanent injury to her lower right leg and right ankle.

**FOR A FIRST CAUSE OF ACTION**

10. Plaintiffs reiterate and restate the previous paragraphs as if set forth herein verbatim.

11. Plaintiff Audrey Denice Sims was an invitee and business guest on the Defendants' premises. The Defendants owed the Plaintiff the duty to discover and warn of dangerous conditions on the premises and thereafter make them safe, which the Defendants failed to do.

12. The Defendants knew or should have known that a dangerous condition existed.

13. Upon information and belief, the Defendants were further negligent, careless, wanton, and willful in the time and place above-mentioned, and acted with a reckless disregard for the rights of Plaintiff Audrey Denice Sims, in the following particulars, *inter alia*:

- a. In failing to keep the floors safe for customers and/or invitees;
- b. In failing to provide safe conditions for customers and/or invitees;
- c. In failing to keep the floors free of obstructions;

- d. In failing to adequately discover and correct any dangerous conditions which existed;
- e. In failing to adequately warn customers and/or invitees that a dangerous condition existed;
- f. In failing to properly train or supervise their employees so as to prevent dangerous conditions from existing;
- g. In failing to properly staff the store; and
- h. In such other and further particulars as the evidence at trial might show.

14. The Defendants knew or should have known of the unsafe conditions of its premises, which caused Plaintiff Audrey Denice Sims to fall.

15. The Defendants breached each of these duties set forth above in a negligent, grossly negligent, willful, wanton, careless, and reckless manner.

16. The conduct of the Defendants set forth above was a proximate cause of the Plaintiff Audrey Denice Sims' severe and extensive injuries, resulting in injuries and damages including past, present, and future pain, medical expenses, suffering; lost wages; mental and emotional anguish and illness; impairments which affect her enjoyment of life.

17. That as a direct result of the negligence, gross negligence, carelessness, recklessness, willfulness, and wantonness on the part of the Defendants, as aforesaid, the Plaintiff has been actually damaged and is entitled to punitive damages.

**WHEREFORE**, Plaintiffs pray that the Court enter judgment against Defendants on the causes of action contained herein. Plaintiffs pray that they be awarded actual damages in an amount to be determined by a jury, future damages, punitive damages, prejudgment interest, post-judgment interest, attorneys' fees, costs, and any other relief the Court may deem just and proper.

Respectfully Submitted,

---

LAW OFFICE OF DERRICK E. MOBLEY, LLC

By: s/Derrick E. Mobley  
Derrick E. Mobley, Esquire  
P.O. Box 1378  
203 W. Main St. (Suite F-5)  
Lexington, SC 29072  
Phone: 803-951-3847

Lexington, South Carolina  
August 11, 2022

ATTORNEY FOR PLAINTIFFS